

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BRIAN A. RUNION,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Case No. 08-cv-358-JPG  
Criminal Case No. 06-cr-40027-JPG

**JUDGMENT**

This matter having come before the Court, and the Court having rendered a decision,

IT IS HEREBY ORDERED AND ADJUDGED that petitioner Brian A. Runion's motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255 is granted; that judgment is entered in this case in favor of petitioner Brian A. Runion and against respondent United States of America; and that the judgment against Brian A. Runion in Criminal Case No. 06-cr-40027-JPG (Doc. 53 in Case No. 06-cr-40027-JPG) is vacated and that Brian A. Runion shall be resentenced.

**DATED: October 6, 2009**

**NANCY J. ROSENSTENGEL, Clerk of Court**

**By:s/Deborah Agans, Deputy Clerk**

**Approved:** s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**